



MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
EXECUTIVE COMMITTEE

February 14, 2007  
2:00 PM

ROOM 324A, RUG ROOM  
MARIN COUNTY CIVIC CENTER  
3501 CIVIC CENTER DRIVE  
SAN RAFAEL, CALIFORNIA

**MEETING MINUTES**

Members Present: Alice Fredericks, Town of Tiburon  
Al Boro, City of San Rafael  
Joan Lundstrom, City of Larkspur  
Charles McGlashan, Marin County Board of Supervisors

Commissioner Members Absent: Steve Kinsey, Chair  
Peter Breen, Town of San Anselmo

Staff Members Present: Dianne Steinhauser, Executive Director  
David Chan, Programming Manager  
Li Zhang, Finance Manager  
Eric Schatmeier, Planning Manager  
Denise Merleno, Recording Secretary  
Carole Dillon-Knutson, Commissioner

*Vice-Chair Boro called the meeting to order at 2:10 p.m.*

**1. Chair's Report**

Vice-Chair Boro stated that there is no chair report.

**2. Commissioner Comments**

Supervisor McGlashan said he feels confident that Caltrans picked the right time to close the Hwy. 101 ramp for the Mill Valley project based on data that was provided to him from Commissioner Dick Swanson.

Commissioner Dillon-Knutson reported that that she was reappointed to the TAM and SMART Boards last night at the Novato City Council meeting. ED Steinhauser commented that Chair Kinsey appointed Supervisor McGlashan to sit on the Executive Committee and believes that the Chair will also appoint Commissioner Dillon-Knutson, at TAM's upcoming board meeting, to sit on this committee as well.

### **3. Executive Director's Report**

ED Steinhauser provided the following report on the status of the Infrastructure Bonds. The California Transportation Commission (CTC) has been meeting to determine the list of projects recommended for funding. The Corridor Mobility Improvement Account (CMIA) will be published this Friday, and the Marin/Sonoma Narrows and I-580 connector are listed as priority projects. There will be a special CTC meeting on February 20 to hear comments on those recommendations. Chair Kinsey and Vice-Chair Boro have expressed interest in attending on behalf of TAM. ED Steinhauser reported that she has been working closely with the North Bay CMAs to ensure that projects receive funding recommendations.

She reported, further, that the MTC will bring a proposed policy to their Programming and Allocations Committee on March 7 for state transit assistance funds (approximately \$350 million) that they will receive from the I-bond. The four North Bay counties are working together to receive a fair share of this money. The Marin County Transit District (MCTD) is under contract with Golden Gate Transit (GGT) which dictates how the funds are split – a certain share will go to GGT and a certain share to MCTD – but this would help close the gap in MCTD's budget since expected fare revenues haven't been as high as expected.

TAM will be issuing two Calls for Projects in late February/early March; one is for the Safe Pathways Program and the other is for TDA Article 3 funds. These Calls will be going out to the local jurisdictions and a notice will be placed on TAM's website. Funding for the Safe Pathways project is approximately \$1.3 million and approximately \$900,000 for TDA Article 3. TAM will work with staff at the local level to solicit candidates under these Calls.

ED Steinhauser said that TAM's Work Plan was presented to this group during the November 2006 meeting, and, at the request of the committee, the report has been reformatted. While it was not placed on this agenda, copies were distributed at today's meeting with the intention of presenting it to the full Board at its meeting next week. She drew attention to the list of all staff activities as directed by MTC. This is important to note because the funding provided by MTC is approximately \$375,000 while staff time required to accomplish these tasks is approximately \$800-900,000 annually. It is estimated that funding will drop to \$300,000 next year. TAM is addressing this issue with MTC. The work plan shows updated activities as to when certain elements of the workload will truly be delivered.

The Committee asked that a brief summary of the work plan be presented at TAM's Board meeting scheduled for February 22. Vice-Chair Boro requested a plan that is easier to read by way of print size and summary.

### **4. Approval of Minutes from November 8, 2006 Meeting**

The minutes from November 8, 2006 were approved without revision.

### **5. Mid-year Financial Report (Discussion)**

ED Steinhauser introduced Ms. Zhang who reported that staff has been working on standardizing the mid-year financial report for presentation to the Committee and Board. She explained the five attachments included in the agenda packet:

Attachment 1: Actual FY 2007 Mid-Year Revenue and Expenditure Report with Comparison to FY 2007 Budget

Attachment 2: Summary of FY2007 Budget Amendments for a given time period

Attachment 3: Detailed Revenue and Expenditure Summary for Measure A

Attachment 4: FY 2006 vs. FY 2007 Monthly Revenue Comparison

Attachment 5: County of Marin Monthly Investment Report

Vice-Chair Boro noted that the information provided in Attachment 4A listed organizations by name and wondered if this is considered to be confidential information. Ms. Zhang responded that listing companies in alphabetical order is public information. Listing companies by revenue is considered confidential.

Ms. Zhang referred the group to Attachment 1 and noted key highlights. Total revenues received exceed what was budgeted by approximately \$1.5 million due, primarily, to additional Measure A revenue. STP/CMAQ and the STP One-Time revenue have not been received because TAM did not receive the executed funding agreement from MTC until last month. Staff is preparing invoices and should receive 50% of the revenue in the near future.

ED Steinhauser added that RM2 revenue spending for the Greenbrae Corridor will increase significantly due to the volume of work that is being conducted.

Ms. Zhang reported that total expenditures are approximately 50% of what was budgeted. This is not because staff over budgeted but because TAM has not been fully staffed until this month. Also, TAM has not signed an office lease, and as a result, has not spent money on rent, furniture or equipment.

Commissioner Lundstrom suggested that written comments on every line of the attachments are not necessary as long as a verbal report of the variances is provided.

Commissioner McGlashan noted that the report is also used by TAM's Citizens' Oversight Committee (COC) where this level of detail is expected; however, a cover sheet that provides a summary would suffice for the TAM board.

Ms. Zhang explained that Attachment 2 shows budget actions taken in the past time period.

Commissioner Lundstrom asked that the date is noted on all attachments

Ms. Zhang explained that Attachment 3 is the Measure A detail which is particularly useful to the COC.

In response to a question from Commissioner Dillon-Knutson whether TAM is investing the earned interest, Ms. Zhang responded in the affirmative.

Responding to a question from Commissioner McGlashan about whether TAM has a 1% rule, ED Steinhauser responded that the 1% rule exists by statute for administration of the sales tax. An additional 4% has been reserved, per the Expenditure Plan, for project and program management oversight. Ms. Zhang added that there is a carryover from last year.

Ms. Zhang explained that Attachment 4 is a comparison of revenue this year vs. last year and commented that sales tax revenue is coming in higher than projected.

ED Steinhauser noted that staff will be revisiting the Strategic Plan which dictates how Measure A funds are programmed. A draft of the updated Strategic Plan will be presented to this committee in April or May. She reminded the group that the board adopted a "flat-growth" revenue policy last year. However, CPI growth was not included in this policy. This additional revenue will enable staff to include a CPI growth in revenue which will allow TAM to address a CPI growth in expenditures.

Ms. Zhang presented the attachments that followed. Attachment 4A lists the top 25 tax payers in Marin County. Attachment 4B is a graph that shows the historic trend of Marin taxable sales and represents a 4% average annual growth.

In response to Vice-Chair Boro's question about TAM consulting with a firm who analyzes sales tax, ED Steinhauser said that MTC does this "to a degree" on an annual basis and staff tracks it as well. Additionally, the information provided by the Board of Equalization (BOE) is substantial enough to prevent hiring someone to calculate estimates. Ms. Zhang added that she met with the BOE who is now providing her with monthly allocation data by business. This confidential information will be tracked by staff. Consultants are capable of aiding in the recovery of lost revenue but their fees can eat, substantially, into the found money.

Commissioner McGlashan asked if surplus year-end revenue can be allocated to a shortfall in a project. ED Steinhauser responded in the affirmative.

Ms. Zhang noted that Attachment 4D is a summary of historical taxable sales by city. She added that this attachment would not be updated on a quarterly basis.

She finalized her report by explaining that Attachment 5 is Marin County's November Investment Summary Report which shows the county's book value at approximately \$777,337,297.82 with TAM's share at \$18,000,000.

## **6. Crossing guard Subsidy/contract Amendment (Action)**

ED Steinhauser requested that this item be postponed until the next meeting when Chair Kinsey will be present since he is very interested in participating in this discussion. It was presented, first, at the Executive committee meeting of October 2006 and the tenor was to proceed, however, after speaking with members of this committee, ED Steinhauser has some reservations about moving forward with this for a "for-profit" business given that public funds would be used. She also has concerns about setting up this subsidy for one consultant/program and not for all of them. She also stated that the cost of this program would cut funding for two guards.

## **7. Accounting and Administration Specialist Job Specs/Salary Range (Action)**

ED Steinhauser reported that, since TAM's inception, the County's DPW had been handling all of TAM's accounting functions and the County's Auditor/Controller Office (ACO) has been handling all of TAM's audit functions. The ACO continues to support TAM but, effective July 1, 2006, DPW discontinued their accounting support. ED Steinhauser said that she and her assistant took over the responsibility of TAM's accounts payable (A/P) and accounts receivable (A/R) in SAP even though it was never the intent, nor is it in the job description, that her assistant take on accounting-type functions. In September 2006, Ms. Zhang became a TAM employee and took over the role of A/P approval, but

managing invoices, communicating with the ACO, and responding to inquiries from TAM's consultants and local jurisdictions continues to be handled by ED Steinhauser's assistant. TAM has a need for hiring an accounting specialist who can assist TAM in dealing with its new role under SAP. County staff was being paid for this work last year, but were not interested in continuing to provide this service in the new fiscal year. Simultaneously, additional administrative responsibilities have arisen as TAM has continued to grow, so this person would serve, also, in the role of an administrative specialist.

Commissioner Lundstrom requested an organizational chart for TAM which ED Steinhauser said she would provide to the Commission.

ED Steinhauser introduced Gail Papworth, TAM's Human Resources Consultant, who developed the job description and salary range for this position.

In response to a question from Commissioner Dillon-Knutson as to how the salary range was established, ED Steinhauser explained that a control point was established and 2.5% ranges above and below that point were created to give flexibility in hiring as well as future salary increases. The goal is to hire someone at or below the control point as has been done with the other staff positions.

In response to a question from Vice-Chair Boro about future salary increases, ED Steinhauser stated that the system of evaluation and reward has not been established yet.

Commissioner Lundstrom made a motion to recommend the approval of the Accounting and Administration Specialist Job Specs/Salary Range which was seconded by Commissioner Fredericks. The recommendation passed unanimously.

The Agenda was rearranged so that Item 9 was presented before Item 8.

In Vice-Chair Boro's absence, Commissioner Lundstrom introduced Item 8.

## **8. Transportation Bond Update (Discussion)**

Mr. Chan said that another part of the Infrastructure Bond - the \$1 Billion State & Local Partnership Program (SLP) - would allocate funds based on \$50 per capita, with a \$25 million ceiling to each county that has already dedicated local revenue to transportation purposes. Based on Marin's current population, it could receive up to \$25 million on a dollar-for-dollar match. However, a debate is taking place as to what constitutes an eligible match. Also, there is contention amongst the Bay Area CMAs because the bigger agencies would be eligible for most of the money since they receive a larger share of the sales tax than counties like Marin or Sonoma. There is an MTC proposal that suggests using a formula-share approach rather than using the guidelines set forth by the CTC. Using MTC's approach, Marin would get less than \$7 million but it would be a guaranteed source of revenue. Under the CTC guideline where Marin could receive up to \$25 million in this competitive process, there is no guarantee that it would receive that much since it would have to compete with the likes of Los Angeles and San Diego Counties.

ED Steinhauser added that staff is looking for feedback from this Committee on this issue. Staff is hopeful that the I580/101 will be on the CMIA bond project list which will be published on Friday. If it isn't, staff could seek funding for this project from the SLP. MTC is moving forward with their formula-share policy which means that Marin and Sonoma Counties will not get the full value of the sales tax investment as a matching fund. In addition, there's a possibility that the Regional Measure 2 (RM2) toll funds could become eligible for matching funds and make Marin more competitive using the CTC

guidelines. MTC's policy on formula sharing came forward before the Marin and Sonoma CMAs had a chance to react. Both are responding, now, with the question of why should they settle for \$5 or 6 million when they could get up to \$25 million under the other policy? The CMAs in the Bay Area, with the exception of Marin and Sonoma, want to adopt the formula program. The larger counties in Southern California are supporting the formula share because they could receive more than the \$25 million limit under the CTC guidelines. She summarized by saying that no decision has been made on how funds will be allocated but that she will continue to protest to ensure Marin gets a fair share of the funds.

## **9. Annual Report Format & Distribution (Action)**

Ms. Zhang stated that TAM produces two annual reports: First, the TAM Annual Report which reports on all of its functions, and second, TAM facilitates the COC in the development of their own report. Staff has begun working on both of them. The COC reviewed the format for their annual report at their January meeting and adopted a tri-fold format provided by TAM's consultant, Circlepoint. However, due to cost concerns, the COC formed a subcommittee, and staff will work with subcommittee to finalize the COC report. She asked the Committee to comment on the proposed format. Text will include a message from COC as well as financial highlights. She finalized her report by saying that the two annual reports will be distributed in the same time period, but the COC report will focus on the Measure A revenues and expenditures.

Commissioner Fredericks commented that it will be difficult to print a tri-fold report from TAM's website since many people don't have access to 11x17" paper. ED Steinhauser said that staff will work on a format that can easily be printed on 8-1/2x11" paper.

In response to a question from Vice-Chair Boro about the distribution list, ED Steinhauser reported that reports are sent to all government agencies, cities, and libraries in addition to handing them out at TAM events. Last year, postcards were printed announcing the availability of TAM's Annual Report on its website. This year, this postcard could reference both reports.

ED Steinhauser clarified that, at this point in time, staff is looking for comments from the Committee as to format and distribution and added that this report will be brought back to the group for comment on the content.

Ms. Zhang introduced Matthew Lea from Circlepoint who explained the formatting plans for the TAM Annual Report. The tri-fold mock-up distributed to the group is approximately 90% of the actual size and when opened up will have letters from the Board Chair and the Executive Director. It will include information on MCTD, TAM's projects, community involvement, a section on the four strategies, financial highlights, a section about TAM, and commission and staff rosters.

In response to a question from Commissioner Lundstrom about the card stock that will be used, Mr. Lea responded that it would be a recycled cardboard stock.

ED Steinhauser reviewed, for the Committee, the printing cost estimates for the annual report and postcard and noted that the cost decreases when a higher volume is printed. Mr. Lea added that the printing charges for the postcard were revised down to \$2.50/copy when 1000 are printed.

When Commissioner McGlashan asked about including the "old" Measure A logo on the outside of the report, ED Steinhauser responded that a previous commissioner was opposed to using this logo to

avoid associating it with other "Measure A" items have been placed on the ballots within in the county. He clarified that the icons representing the various modes of transportation are what he would like to see included. ED Steinhauser said that staff would find a way to include these icons.

Commissioner Fredericks commented that, while she agrees with the use of these icons, TAM is funded by sources other than just the sales tax and would like to see the other sources represented on this report. ED Steinhauser said that staff will work on this.

Commissioner McGlashan made a motion to recommend the TAM Annual Report be revised and presented to the Board for approval and the motion was seconded by Commissioner Lundstrom.

Vice-Chair Boro left the meeting at 3:20 p.m.

#### **10. Highway 101 Update (Discussion)**

ED Steinhauser advised this group that staff may bring a resolution to the Board next week that addresses a concern SMART has raised about the Puerto Suello Hill project. The plans for this project are ready to advertise. It is a \$52 million project which fully contains the relocation of the SMART tracks. The historical agreement SMART has includes protections regarding the relocation of the SMART tracks. It guarantees that SMART must approve the replacement railroad facilities prior to deeding the land to Caltrans who will build the widened highway. SMART does not have to quit claim the land to Caltrans until they are satisfied with the construction of the facilities on the adjacent property.

SMART approached Caltrans in September/October 2006 and said that rebuilding the railroad tracks to full operating mode should be the first order of work. Caltrans considered the idea but resisted since the contractor will need access to the land, where the tracks are to be built, in order to construct the soundwall. If SMART had passed, staff would have made sure there was some completion date that would match the service date. However, that did not happen. The industry standard is to tell the contractor what to build but not how to build it. So, the plans and agreements don't say anything about what needs to be done in any particular order. However, SMART won't sign the plans until TAM assures them how it will handle the replacement facility.

TAM and SMART have agreed to sign the plans provided TAM gives SMART a resolution stating that the track reconstruction is in the building plans/specs, the project is fully funded, and TAM has the full intention of rebuilding the track. TAM wants this project to be advertised in the next few weeks and any changes that are made will prevent that from happening. The SMART Board will discuss this matter in a closed session next Wednesday, and TAM staff wants to take the resolution to its Board on Thursday.

Commission McGlashan asked for assurance from ED Steinhauser the plans provide for the relocation of the track. ED Steinhauser said that she believes that the provision is there and that this proposed resolution is unnecessary other than to provide SMART with additional assurance that the relocation will occur.

Commissioner Lundstrom suggested summarizing for SMART all the assurances in the resolution.

Commissioner Dillon-Knutson commented that she understand SMART's hesitancy to quit claim the land because, historically, there were other instances where promises were made to replace tracks but the promises were not fulfilled.

ED Steinhauser introduced Ms. Connie Preston of Vali Cooper, a consultant to TAM, who completed the report on the Highway 101 Update. She reported that Segment 3 is on track and she will be organizing a tour of the Central San Rafael project for the Commission. She reiterated ED Steinhauser's earlier comment that the Puerto Suello Hill project is going out to bid in March with construction to begin in June. There will be some public relations efforts taking place for this project which will be announced in the near future.

#### **11. Open Time for Public Expression**

Don Wilhelm said that it appears that there are many projects in the county-wide plan that will fall to TAM's staff to handle and he questioned ED Steinhauser about the additional workload.

ED Steinhauser responded that staff worked with the County's Community Development Agency (CDA) in terms of what staff does now and what it would need to do. She added the need to identify funds in order to carry out additional projects and said that the county-wide transportation element of the plan would be a good topic for discussion at the Commissioner workshop in April. She stated that the Non-Motorized Transportation Pilot Program has a number of programs that will be recommended for funding, probably in April. These programs will fall on TAM's shoulders to carry out.

Commissioner McGlashan suggested reviewing the implications driven by both the county-wide plan and the non-motorized pilot program at the upcoming commissioner workshop. He also suggested that Americorps and the Marin Conservation Corps are interested in working on the Community-Based Transportation Plan in Marin City. He requested that TAM staff contact Ms. Marilee Eckert of Americorps to assist with outreach.

ED Steinhauser announced that TAM hired Bill Gamlen to be TAM's Project Delivery Manager. Mr. Gamlen has worked with MUNI as a civil engineer and has been employed, most recently, with Gannett Fleming. He will begin work on March 5 but will be introduced to the TAM Board at its meeting on February 22.

*Seeing no others wishing to speak, Commissioner Lundstrom adjourned the Executive TAM meeting at 3:50 p.m.*